

Colorado Department of Public Health & Environment and the  
U.S. Environmental Protection Agency Region 8

# **Colorado Environmental Performance Partnership Agreement - FY2003**

Colorado Department  
of Public Health  
and Environment

## **FINAL AGREEMENT**

**OCTOBER 2002**

**COLORADO PERFORMANCE PARTNERSHIP AGREEMENT FY2003  
FINAL DOCUMENT**

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By signing this updated Colorado Environmental Performance Partnership Agreement for FY03, the Colorado Department of Public Health and Environment and the U.S. Environmental Protection Agency Region 8 jointly agree to continue the National Environmental Performance Partnership System for the next two federal fiscal years beginning on October 1, 2002 and continuing September 30, 2004. The U.S. EPA commits funding to the Department in amounts specified herein and as specified in fiscal applications submitted by the Department on or about August 1, 2003 under the terms of the Department's Environmental Performance Partnership Grant. In return, the Department will expend the federal resources to carry out the environmental programs described herein. Region 8 EPA also agrees to carry out its roles and work as defined in the agreement and in work plans submitted in the subsequent year.

U.S. Environmental Protection  
Agency, Region 8  
Colorado Department of Public  
Health and Environment  
Regional Administrator  
Jane E. Norton  
Executive Director

## **1.1 BACKGROUND**

This Colorado Environmental Performance Partnership Agreement (CEPPA) is an agreement that identifies and explains the key environmental priorities and goals in the State of Colorado, and the working relationship between the Colorado Department of Public Health and Environment (CDPHE)

and the U.S. Environmental Protection Agency (EPA). The 2003 CEPPA continues the pattern established in the previous agreements to achieve the goals of the National Environmental Performance Partnership System (NEPPS). The NEPPS provides a framework for delineation of state and EPA roles in carrying out environmental laws in each state. It allows Colorado to identify key state priorities, allocate federal resources to the highest state priorities and have some flexibility in finding ways to achieve mutually agreed upon goals. The EPA seeks to work jointly with the state to find the most effective ways to achieve national standards and goals while meeting state environmental priorities.

This CEPPA encompasses an agreement for federal Fiscal Years 2003 and an updated document to be developed for 2004. The CEPPA is reviewed by both the Colorado Department of Public Health and Environment and the U.S. EPA Region 8 annually. New annual commitments are negotiated under the structure established herein. In any area where new priorities arise, new goals and objectives are proposed, negotiated and then added to the CEPPA either in the document or as amendments.

## **12 PURPOSE**

The Colorado Environmental Performance Partnership Agreement serves several purposes.

- It identifies the roles of and the relationship between the EPA and the environmental programs of the CDPHE.
- It identifies the major CDPHE management framework to address environmental problems in Colorado. The document describes the priority goals, objectives and key initiatives to address the problems, and establishes the environmental indicators and performance measure to evaluate progress.

It is the document which defines Colorado's set of program commitments for which federal resources are made available to the CDPHE to manage environmental programs. It constitutes the full program plan for the CDPHE environmental Performance Partnership Grant (PPG) to the CDPHE and will be used to evaluate the success of the PPG.

- The CEPPA seeks to enhance public involvement regarding environmental issues and priorities in the state.

## **SCOPE**

This CEPPA addresses the environmental programs within the CDPHE with emphasis on those that receive funding from the EPA. This CEPPA delineates those programs and activities that are grant commitments in Chapters 2 through 5. In addition, this CEPPA describes a number of programs and activities which are either not funded by or not required by federal law to be included in the Agreement. These are included to demonstrate the comprehensive and integrated approach to managing these programs that is in place, and to enhance communications with stakeholders and the public. The descriptions in this document of programs that are neither funded nor mandated by EPA does not translate into federal control of these programs if it would not otherwise exist.

This CEPPA specifically describes the work commitments to be completed during the work plan period of FY2003. It is intended to complement but not necessarily supersede existing Memorandums of Agreement, delegations and enforcement agreements. Further, the Colorado Department of Public Health and Environment will maintain the core programs required by federal and state statutes and rules, and reflected in program authorizations and other formal agreements. In addition, the core program requirements also relate to the maintenance of regional and national databases associated with the environmental health programs and the development of Quality Assurance Project Plans for specific program activities like monitoring or remediation. The CDPHE will fulfill the data entry, quality assurance and data validation requirements and will perform timely and complete updating of information by state and the EPA staff and managers.

In the FY2003 Agreement, the CDPHE will continue to develop, in close consultation with EPA Region 8, an EPA-Approved Quality Management Plan (QMP) which will cover all of CDPHE's environmental programs. CDPHE and EPA will consult on the scope and content of the QMP. The EPA has provided QMP Guidance to the CDPHE, and will continue to provide technical support quality assurance plans. CDPHE will continue to obtain EPA of QAPPs for data collection and analysis work for which EPA provides funding and for which programs do not yet have approved QMPs.

To provide a comprehensive description of the environmental efforts throughout the state, this CEPPA also includes the EPA's efforts to support the state's environmental programs and to carry out its own federal responsibilities. In some instances, the EPA works with other state agencies in Colorado to carry out its activities. The information provided on these activities with other agencies is only descriptive and should in no way imply a commitment on the part of those agencies or the CDPHE.

Nonetheless, the CDPHE will coordinate with both the EPA and other state agencies to address environmental problems. The CDPHE also will work closely with cities and county agencies to implement many of the programs described in this agreement.

## **14 RELATIONSHIP BETWEEN EPA AND CDPHE**

There is a long-standing relationship between EPA and CDPHE to protect the environment in Colorado. The federal system of government, through a series of environmental statutes, delineates specific roles for federal and state agencies in the development and implementation of programs for environmental protection. Different statutes require different roles. For example, some programs established by federal legislation may be delegated to state agencies with requisite authority, resources and capability. Other programs cannot be delegated under federal law, like the federal Superfund program. Other environmental programs or initiatives have been developed at the state level independent of federal authorities. In addition, there are other initiatives that both agencies agree result in increased environmental protection in an efficient and cost effective manner. Often, the CDPHE and the EPA play significant roles in these efforts and work to coordinate their approaches in Colorado.

### **1.5 ENVIRONMENTAL PROTECTION AGENCY ROLE**

Under most of the programs covered by this CEPPA, the U.S. Congress gave the EPA the initial responsibility for development and implementation. Many of these statutes also contain Congressional preference for delegation of the program to the states when states demonstrate capacity to carry them out. The federal resources for program development and management are given to the EPA annually by Congress. The EPA has developed various mechanisms for implementation of the programs in partnership with the states. Given the evolving nature of this partnership, there will continue to be coordinated planning and priority-setting between the EPA and Colorado. These joint activities will occur as part of the development of future partnership agreements and on a more long-term, strategic basis.

**FEDERAL-ONLY ACTIVITY** In some cases, implementation of environmental programs is primarily a federal role. Some examples include non-delegated programs, Indian Country issues, and interstate problems. Even so, many of these activities require support and activity by the CDPHE. One example is the Emergency Planning and Community Right-to-Know Act program which is directly implemented by the EPA, but relies heavily on state information and data.

**DEVELOPMENT OF NATIONAL PROGRAM STRUCTURE AND STANDARDS** The EPA is responsible, through its statutory management and rule-making authority, for determining the federal management structure for the program and minimum national standards. For many environmental programs, national standards have been set for the country. The EPA's role is to ensure that the efforts of all states are used to achieve baseline environmental quality throughout the country and require that states adhere to a minimum set of national environmental standards. In addition, the EPA facilitates resolution of interstate issues. Federal activity is geared to monitor consistency, national trends, and federal initiatives when standards are not met.

**RESEARCH AND DEVELOPMENT** Often, the standards and guidance which are developed by the EPA are the result of research and development which it has undertaken and/or funded. Development and testing of innovative technologies and similar initiatives are valuable components of many environmental programs.

**ASSISTANCE TO THE CDPHE** The EPA often provides technical assistance which may not be available to a particular state program. For example, the EPA assists in building state capability to implement federal environmental programs by providing clear statements of policy and guidance, and delivering assistance and training on new regulations and national priorities. Additionally, the EPA will assist Colorado when requested, by providing technical information from other states, reviewing proposed engineering treatment processes, researching data, conducting risk assessments, and facilitating peer review and peer matching. For EPA activities that will not require a major commitment of federal resources, EPA personnel will be available on an ongoing basis. For activities that will require a major commitment of EPA resources, that role will be described in the program-specific tables and work plans in the later Chapters of this CEPPA.

**ENFORCEMENT, COMPLIANCE AND ENVIRONMENTAL JUSTICE** The EPA performs essential enforcement and compliance assurance functions in order to ensure the protection of public health and the environment, and to assure that polluters do not gain a competitive advantage over those regulated entities that comply with federal environmental regulations.

The core EPA functions include: setting national priorities, monitoring compliance on a national basis, assuring national consistency in the implementation and enforcement of federal environmental

requirements, taking enforcement actions against regulated entities with significant noncompliance at facilities in several states or against sources where releases to the environment threaten the health or environment of another state or country, or where states do not address particular violations, the EPA offers incentives for violators to come into and remain in compliance, conducting compliance assistance for high-priority sectors and federally-implemented program, and evaluating state performance.

For national programs that are not delegated to the state and for new regulations and policies, the EPA will perform compliance assurance activities such as the development of compliance assistance materials and services tailored to promote compliance within high priority sectors. It will address compliance problems in federally implemented programs, and publicize and explain new regulatory requirements. In delegated programs, such materials and services should be delivered by the state. The EPA will promote environmental compliance and pollution prevention in the federal sector through enforcement, technical and compliance assistance activities. Careful administration of compliance assistance, pollution prevention, and enforcement will be directed toward the overall goal of achieving increased compliance and reducing risk in all priority areas.

**RESOURCES** In addition to the programmatic and technical assistance provided, many of the programs covered by this CEPPA are partially funded by federal grants administered by the EPA. The EPA is accountable to Congress for the expenditure of these resources consistent with federal law and grant agreements.

**SPECIAL PROJECTS/INITIATIVES** The President, the Administrator of the EPA, or the Regional Administrator may identify particular initiatives or projects which are a high priority. The EPA works with state agencies and others to implement projects or initiatives that the state is interested in pursuing.

**CROSS-CUTTING INITIATIVES** The EPA Region 8 office will be working with EPA Headquarters, the state, and local communities in several cross-cutting areas. The EPA has identified a number of crosscutting areas within its strategic themes. These themes include ecosystem protection, pollution prevention, reinventing environmental management, environmental justice, environmental accountability, partnerships and strong science and data. Cross-cutting activities found within these themes include community-based environmental protection, industrial sector compliance activities, integrated environmental data systems and funding to achieve equitable environmental results.

**VERIFICATION OF STATE PERFORMANCE (OVERSIGHT)** The EPA works jointly with the state to set forth the procedures for mid-year and end-of-year reviews, grant reporting requirements, and other assessments. Through the assessment process, the EPA works with the state to evaluate accomplishments, discuss progress, make adjustments to meet commitments in the current PPA and plan for future efforts. The EPA is ultimately responsible for ensuring that grant requirements, including program commitments have been met.

In cases where the EPA delegates implementation authority for environmental programs to a state, it must also ensure that the state meets the requirements of the delegation. This distinct oversight role is necessary for the EPA to carry out its unique federal responsibilities as reflected in the items above. The EPA will review the state's performance and evaluate it against national environmental statutes, regulations and pertinent fiscal/grant requirements (see Chapter 8: Oversight).

In instances of effective state performance, the EPA's oversight role lessens. In instances of less than satisfactory performance, the EPA's oversight role increases. In both scenarios, the EPA must ensure compliance with environmental laws and determine its level of activity accordingly.

## **1.6 COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT STRATEGIC PLANNING AND ROLE IN THE PPA**

The basis for Colorado's development of this CEPPA comes from a comprehensive strategic planning process established by Gov. Bill Owens and brought forward by CDPHE Executive Director Jane E. Norton. The document articulating this direction, "Challenges and Opportunities for a New Century," establishes both core strategies and critical investment areas to help evaluate the overall success of the state programs in the years ahead. These investment areas are described in the document They are:

- 1.) Prevention - maintaining the state's environmental quality and preventing exposure to environmental hazards requires an integrated approach among the environmental divisions.
- 2.) Local capacity - ensuring that the local health agencies have sufficient capacity to perform critical functions to maintain environmental quality. A key feature of this updated CEPPA is the inclusion of current local health department activities where appropriate in the CEPPA.
- 3.) Disparities - ensuring that disparities among groups at risk is reduced is both a national and state

priority

4.) Protection - in terms of water, air and land is the final element. The CDPHE has a legal obligation to protect Colorado's air and water quality and assure that citizens are not exposed to hazardous substances.

For the majority of programs covered by this CEPPA, the state is the primary implementing agency. Some of the roles described above have parallels at the local level.

**DEVELOPMENT OF STATE PROGRAM STRUCTURE AND STANDARDS** Colorado is responsible through its statutory and regulatory authority to determine the state management structure for the program. In addition, the state adopts its standards through the Colorado Administrative Procedures Act and requirements of implementing statutes. This is done through the various state commissions or boards; the Air Quality Control Commission, the Water Quality Control Commission, the Hazardous Waste Commission, and the Colorado Board of Health.

**RESEARCH AND DEVELOPMENT** The state also may conduct or fund research and development efforts relevant to its environmental programs. This occurs on a limited basis, however, due to resource constraints.

**PROGRAMMATIC AND TECHNICAL ASSISTANCE** Due to the maturity of many of the programs described in this CEPPA, the state sometimes provides programmatic and technical assistance to the EPA. This is often done through agreements under which the state undertakes lead responsibility for particular projects or activities for which the EPA is primarily responsible.

**RESOURCES** The CDPHE commits its own financial resources to nearly all of the programs and activities described in this CEPPA.

**SPECIAL PROJECTS/INITIATIVES** The CDPHE may also undertake particular projects or initiatives which are a high priority for the state. The CDPHE works with the EPA and others to implement those projects or initiatives.

**DIRECT IMPLEMENTATION** For most of the programs and activities described in this CEPPA, the state directly implements the program or activity. Specifically, where a program is not authorized by federal law, the state undertakes the work. As the state and the EPA develop their priorities, the state may identify priority work that the EPA cannot or will not undertake. The state may then choose to do this work. Local health departments also directly implement a number of programs and activities and some reference is made to these in this CEPPA.

**COMPLIANCE ASSURANCE AND ENFORCEMENT** The state of Colorado has sufficient authority under state statute to perform essential compliance assurance and enforcement functions in order to ensure the protection of public health and the environment and to assure that polluters do not gain a competitive advantage over those entities that must meet state regulatory requirements.

## **1.7 ENVIRONMENTAL CONDITIONS IN COLORADO**

This CEPPA is founded, in part, upon the current understanding of environmental conditions in Colorado. The CEPPA includes goals and objectives to address identified health and environmental problems in the state, particularly as they relate to the established roles and responsibilities of the participating agencies.

**Air Quality** - Colorado's air quality for 2001 continued to improve and remains good overall. However, some areas of the state continue to have air quality concerns.

Colorado's Front Range communities that typically experience elevated levels of carbon monoxide continued to comply with the national standard. Statewide, the highest levels recorded were: 1-hr max of 14.4 ppm and second high value of 9.3 ppm at the Denver CAMP station and the 8-hr max of 4.8 ppm and second maximum of 4.4 ppm recorded at the 690 W. Highway 24 monitoring location in Colorado Springs. However, all monitoring stations are in compliance with the federal carbon monoxide standard.

Once again, the Denver metro area maintained ozone (smog) concentrations below the national standard during 2001. In 1997, the U.S. EPA proposed a revised 8-hour Ozone ambient air quality standard in 1997. Initially, this new standard was challenged and overturned by the Court. However, EPA appealed this decision and was upheld. However, at this time, the "new standard is not in place. Therefore, Colorado is collecting ozone data and will report levels in terms of the both the one and 8-hour standard. Ozone levels reported relate to the current one hour standard of 0.12 ppm are as follows: the 1-hr maximum of 0.117 ppm and 1-hr 2<sup>nd</sup> maximum of 0.105 were recorded at the Greeley site (811 15<sup>th</sup> St.) in Weld county. The levels reported that relate to the 8-hour standard of 0.08 ppm based on a three year average measured at each monitor are as follows: the highest value was measured was 0.090 ppm measured at the Golden monitor (20th and Quaker St.) in Jefferson county and the 2<sup>nd</sup> highest value was 0.084 ppm measured at the Rocky Flats monitor in Jefferson county. Most areas that have historically experienced problems with particulate matter (PM10) have shown

reduced levels of the pollutant in 2000. Many mountain and rural communities continue to show a declining trend in particulate concentrations. Communities such as Aspen, have not exceeded the federal ambient particulate matter standards since 1991. In 2001, the highest value measured in the state was 152 ug/m<sup>3</sup> in Lamar in Prowers county (100 N. 2<sup>nd</sup> Ave). . The second highest value was 133 ug/m<sup>3</sup> also measured in Lamar in Prowers county (100 N. 2<sup>nd</sup> Ave). These values are not violations of the PM<sub>10</sub> standard.

In addition to monitoring for PM<sub>10</sub> the state is also monitoring for fine particulate (PM<sub>2.5</sub>). In 1997 the EPA added new fine particulate standards for 24-hour period and an annual average. However, because of legal challenges to the standard, the data collected is not being used to determine compliance with the new standard. The Maximum 24-hr level was 68.4 ug/m<sup>3</sup> with a 2<sup>nd</sup> Maximum of 68.0 ug/m<sup>3</sup> measured in Denver at the CAMP Station (2105 Broadway). Compliance with the standard is determined by the 98<sup>th</sup> percentile value. This value is 38.5 ug/m<sup>3</sup>.

Visibility, an aesthetic air quality value, continues to be a concern of citizens in the Denver metro area as well as other Front Range communities as well as the Grand Junction area. Also, visibility will be continuing issue as the state moves to implement the Regional Haze Rule promulgated by the U.S. EPA.

Another aesthetic air quality value is odor, including that from large-scale hog production facilities. The Colorado Air Quality Control Commission continues to monitor and respond to odor problems from various operations.

**Water Quality** - Both the federal Clean Water Act and the Colorado Water Quality Control Act direct the state to evaluate, restore and maintain the chemical, physical and biological integrity of the state's waters, and to protect beneficial uses including: protection and propagation of fish; shellfish and wildlife; recreation in and on the water; public and private drinking water supplies; and, agricultural water supplies.

Public health problems of concern to Colorado's Clean Water Program include: chemical and biopathogenic contamination of source waters for public water supplies; illnesses caused by ingestion of contaminated aquatic organisms or agricultural products where the contamination is attributable to the habitat waters, sediment or irrigation water supply; and, gastrointestinal illnesses and other health problems (e.g. dermatitis, eye infections) that result from water-based recreation.

Environmental problems of concern to the Clean Water Program in surface waters include: chemical and physical impacts which impair aquatic ecosystems; discharges that cause unsightly, odorous or harmful bottom deposits, surface scum or debris which may stimulate the proliferation of undesirable aquatic plants and organisms; stream channel alterations and dredge and fill activities that could impair aquatic habitat; and other disturbances to riparian ecosystems that may exacerbate impacts from runoff and harm in-stream conditions. There are now major concerns that poor water quality and aquatic habitat conditions in the Lower South Platte, Arkansas and Colorado Rivers are significant factors in the decline of Colorado's native fishes. A major concern has arisen about elevated selenium concentrations in the Arkansas and Lower Colorado River basins caused by runoff from cretaceous shale and irrigated fields.

However, based on existing data, 91% of stream miles assessed in Colorado meet the feasible criteria (criteria related to man-made contamination), while 30% meet the swimmable criteria. Additionally, 97% of lake acres assessed meet the fishable criteria, and 73% meet the swimmable criteria.

Ground water quality in Colorado ranges from excellent in mountain areas where snow fall is heavy to poor in alluvial aquifers of major rivers where surface and ground water are used and reused.

Shallow, unconfined aquifers in Colorado are susceptible to contamination from surface activities.

Many have become contaminated, especially with nitrates and salts from agricultural activities, and from urban development, particularly along the South Platte downstream from Denver. Deeper bedrock aquifers tend to show higher levels of natural constituents but lower levels of surface contaminants, especially if the aquifers are confined.

Water quality data reported from public water systems supplied by ground water indicate that the most common contaminants in the state are: nitrate, fluoride, selenium, iron, manganese, alpha radiation and uranium. Ground water provides 18% of the water used in the state. However, in some localities it is the sole source of domestic and irrigation water. Natural conditions and mining have resulted in ground water contaminated with heavy metals and radio nuclides. Rapid development in mountainous areas located on top of fractured crystalline rock and in alluvial valleys have increased the threat of nitrates and pathogens in ground water from the use of individual septic disposal systems. However, Colorado drinking water systems that provide water to the public, 98.9% do comply with drinking water standards. There are also public health concerns pertaining to drinking water that comes from surface water supplies that may include microbiological pathogens (bacteria, viruses, *Giardia*, and

*Cryptosporidium*).

**Hazardous Materials and Waste - The** Hazardous Materials and Waste Management Division's priorities and work commitments reflect and respond to several basic environmental and programmatic areas.

The first of these is waste prevention, which includes the concepts of waste minimization and pollution prevention as the optimal solutions for most waste problems. In both the solid and hazardous waste arenas, the HMWMD Division emphasizes the use of technical assistance and resource/educational materials to increase the awareness and understanding of these concepts across the state.

In addition, industry-specific, targeted inspections will help to spread effective waste management practices in certain types of facilities. The use of waste minimization and pollution prevention-based Supplemental Environmental Projects as a frequent part of enforcement actions has emphasized the importance of these concepts. The results of the HMWMD Division's waste prevention and minimization efforts can be demonstrated by a downward trend in the amount of waste generated by many Colorado businesses.

In July of 2002, HMWMD began a Cathode Ray Tube Recycling Pilot Project under the impetus of HB-01-1106. This reuse / recycling pilot is aimed at minimizing the e-waste stream and its impact to Colorado's solid and hazardous waste management sites. The effort will continue and expand activities conducted through the Colorado Office of Energy Management and Conservation with the two state agencies coordinating resources for maximum impact.

A second priority area is compliance assistance and assurance. Activities in these areas form the basis of the traditional work effort of the Division each year. The Division is dedicated: to the adoption of reasonable regulations and guidelines that safeguard the environment and public health; outreach to the regulated community and the public to assure awareness and understanding of such requirements; as well as, routine inspections that evaluate compliance at a significant percentage of the regulated facilities each year and concerted efforts to achieve timely compliance and corrective action. In addition, at sites where the improper disposal of wastes or chemical spills may impact the environment or place the safety and health of the citizen in question, the Division is focused on achieving rapid stabilization, and environmentally-sound and cost-effective clean-ups.

The third priority is protection. In many cases, the HMWMD Division must respond to contamination that is already present in the environment, and that poses a current or potential risk to human health. A majority of the HMWMD's work is in the Superfund, Voluntary Cleanup and Federal Facilities Programs. The work involves design, execution of cleanup projects that are protective of human health. The status and use of environmental indicators as program benchmarks has been under continual development and refinement at CDPHE.. The CDPHE and the EPA intend to determine whether and how an improved assessment of environmental conditions can be made.

### **1.8 DESCRIPTION OF ENVIRONMENTAL PROGRAMS.**

Each of the environmental Divisions of the CDPHE has described their organization in detail and defines new organizational relations for the environmental programs listed. A listing of these programs is included here to emphasize the breadth of the efforts that are part of the CEPPA. Of the programs listed many are funded, in whole or in part, through the grant provided under this CEPPA. The environmental programs administered by each of the CDPHE environmental divisions are shown in the following table.

## **Office of Environmental Programs**

Sustainability Program

Pollution Prevention

Environmental Leadership

Environmental Customer Assistance Center -

Environmental Information and Environmental Justice

### **Air Pollution**

#### **Control Division**

- Policy and Planning Program

- Mobile Sources Program

- Stationary Sources Program

- Technical Services Program

- Administrative and Business  
Services Program

### **Hazardous Materials and Waste Management**



## **Division**

- Compliance Program
- Federal Facilities Program
- Remediation Program

## **Water Quality Control**

### **Division**

- Water Quality Protection Section
- Permits Unit
- Compliance Assurance and Data Management
- Drinking and Wastewater Technical Services
- Drinking Water Program
- Watershed Section
- Assessment Unit
- Monitoring Unit
- Outreach and Assistance Unit

### **Other Programs:**

Laboratory and Radiation Services Division - Radon Program

NOTE: Programs in bold typeface are funded, in part from Performance Partnership Grant

## **1.9 DESCRIPTION OF COLORADO CROSS-CUTTING INITIATIVES.**

### **1.9.1 Introduction to Colorado and EPA Priorities for 2002 - 2003**

In earlier CEPPAs, both the CDPHE and the EPA Region 8 office have identified priority areas and initiatives at which to target resources and activities. These initiatives are continued in this CEPPA. In some cases, a new title has been proposed to clarify and delineate what each initiative is to accomplish. Since many of these priority areas are implemented across programs and are referred to as cross-cutting themes. The text below identifies the priorities of each agency and illustrates the similar priorities common to the CDPHE and the EPA Region 8 office. Because the EPA has direct implementation responsibilities for a number of programs and initiatives in Colorado, these may not necessarily be a priority for the CDPHE and are described elsewhere.

In the FY03 Performance Partnership Agreement, two new initiatives have been added. As with the current themes in this CEPPA, these new initiatives of Emergency Preparedness and the incorporation of Environmental Problem Solving (EPS) as a part of cross-media activities do directly involve the environmental divisions of the CDPHE and many EPA programs. Further the scope of each of these areas is both significant and complex. Each new initiative is briefly described and then specific outcomes for the coming year are identified.

### **1.9.2 Description of CDPHE and EPA Cross-cutting Themes**

#### **1.9.2.1 Pollution Prevention (P2)**

Pollution prevention efforts are aimed at reducing the volume, toxicity and use of any hazardous substance, or the amount of any pollutant or contaminant prior to recycling, treatment, or disposal. Ideally, pollution prevention activities result in a sustainable economic base which features minimal emissions and generation of wastes.

In May, 2002, CDPHE created a Sustainability Program which now includes the P2 Program, the Environmental Leadership Program and other cross-media programs and initiatives. This program is managed by a designated Program Director who reports to the Director of Environmental Programs. The Department is excited about this new program because it will house implementation responsibility for many of the innovative initiatives recently undertaken by the Department.

The EPA Region 8 offices have organized to better address pollution prevention by pulling together staff experts into a core program. This group will identify ways that prevention concepts and techniques can be integrated into the agency's regulatory and administrative activities.

The core P2 program provides direction for and facilitates this process of regulatory integration, but an increasing amount of the P2 work is being successfully practiced throughout the divisions. Chapter 5 includes a detailed work plan for the P2 Program and Chapters 2-4 include a description of the divisions' commitments to P2.

Since the inception of the P2 program, it has maintained a simultaneous focus on internal and external P2 activities. In addition to the intra-divisional and intra-agency planned priorities highlighted below, the P2 program will continue to emphasize the following activities focused on the greater Colorado regulated and non-regulated community:

- Quarterly networking luncheons for technical assistance and 1-2 workshops for 28 Governor's Challenge Companies
- Collaboration with Pollution Prevention Partnership on Fall and Spring Forums and P2 in

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- Increasingly professional, systematic pollution prevention opportunity assessments to regulated facilities as invited by facilities or referred to by compliance staff
- Administration of \$100,000 Colorado P2 Grants Program
- Creation of Environmental Management Model for the Ski Industry
- Management of Colorado's SARA/TRI Program

### 1.9.2.2 Community-Based Environmental Protection and Environmental Justice Programs

These efforts are based upon the premise that all the concerned stakeholders in a community can and should have a role in solving environmental problems in communities. The people who live, work and have businesses in a geographic area have a common interest in preserving the environment and quality of life.

The CDPHE and EPA Region 8 offices will be working to encourage community based programs along with effective partnerships in several areas throughout Colorado.

Environmental Justice (EJ) means the fair treatment and meaningful involvement of all people regardless of race and income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies. Fair treatment implies that no group of people including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local and tribal programs and policies.

### 1.9.2.3 Compliance Assistance and Compliance Assurance

Compliance means more than identifying and correcting environmental noncompliance. It may involve helping regulated entities achieve and maintain high rates of compliance by providing technical assistance, workshops, educational materials, and by employing other collaborative approaches. For example, smaller facilities, which may lack both the resources and expertise to develop an individual environmental management system, will be better able to comply with environmental regulations if they have an understanding of environmental management systems. Compliance Assurance is the term for protecting public health and the environment through assuring compliance with environmental laws that the CDPHE and the EPA are charged with administering. Any activity intended to assure such compliance is covered. These activities include such traditional tools as inspections, monitoring, enforcement, and less traditional approaches. The CDPHE is putting a particular emphasis on analyzing cross-program compliance efforts with an eye towards tools such as multimedia inspections designed to improve efficiency. The EPA will promote environmental accountability by setting out clear environmental requirements, communicating the requirements in a comprehensive fashion through guidance and training, encouraging the regulated community to meet expectations and aggressively responding to those not complying.

### 1.9.2.4 Access to Information and Data Integration

This combination of effort results in a goal for both the CDPHE and the EPA. Each agency is moving toward the integration of existing data systems. Through integrated data systems better environmental decisions can be made and the public involvement in permit and other regulatory actions can become more effective and efficient.

### 1.9.2.5 The CDPHE Colorado Environmental Leadership Program and Performance

Track at EPA Region 8

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Track at EPA Region 8

The Environmental Leadership Program carries out the intent of the Colorado Environmental Leadership Act passed by the General Assembly in 1998. The Environmental Leadership Program recognizes and rewards organizations and businesses that consistently operate at a level that go beyond compliance with environmental regulations. These top-performing businesses and organizations achieve superior environmental goals through the use of an Environmental Management System, a pollution prevention plan and continual environmental achievements.

The program is funded through the PPAB grant and is administered by one full-time employee within the Cross-Media Division of the Office of Environmental Programs. Currently, the program is made up of 10 member companies in the Environmental Leadership Program tier and eight companies or organizations in the newly formed Environmental Achievement Award tier.

Colorado's Environmental Leaders include:

Ball Aerospace & Technologies Corp.

Lockheed Martin Space Systems

Aspen Skiing Company

U.S. Postal Service - Denver  
Majestic Metals, Inc.  
Celestica Corporation  
SAE Circuits  
Western Area Power Administration  
Sanmina-SCI Plant 432  
Management and Engineering Services  
Achievement Award winners include:  
Alliance Farms  
Ball Metal Beverage Container Corp-  
Circuit Images  
Colorado Asphalt Pavement Association  
Environmental Demolition, Inc  
Jefferson Co. Emergency Mgmt. Div.  
Metal Tech Industries  
Rooney Road Recycling Center  
NE Metro Pollution Prevention Alliance

The tenets of the state's Environmental Leadership Program are collaboration, flexibility, and innovation. To this end, the department will continue to develop new and better tools to measure success and to report this information to businesses, the EPA and to the citizens of Colorado. Based on the success witnessed by Colorado's environmental leaders and from information shared by other states, the program has already begun to integrate leadership and innovation into the environmental programs and regulatory structure of the department. The vision is to encourage more companies and regulatory agencies to implement innovative strategies that go beyond compliance and to reward environmental achievements. The result will be a healthier, cleaner and more sustainable Colorado.

#### 1.9.2.6 Concentrated Animal Feeding Operations (CAFOs)

EPA and CDPHE will continue to focus on issues regarding animal feeding operations (AFOs) and concentrated animal feeding operations (CAFOs). This will be based on EPA's revised regulations for CAFOs and Colorado's Amendment 14, passed by voters in 1998.

#### 1.9.2.7 Environmental Problem Solving - Addressing the Impacts of Mercury on Public Health and the Environment

Over the past year, the CDPHE has been developing an approach to solving environmental problems is a structured approach to unsolved environmental problems, based on Dr. Malcolm Sparrow's approach outlined in his book, *The Regulatory Craft: Controlling Risks. Solving Problems, and Managing Compliance*. EPS is a straightforward data-driven process, meant to be taken step-by-step. The steps are to identify the problem, analyze the problem, measure the problem, and tailor a solution. When the solution is implemented, its effectiveness is measured, and if necessary, the solution is adjusted for effectiveness. When success is achieved, the project is closed. Long-term monitoring may follow to ensure that the problem does not reoccur.

EPS is designed for environmental problems that are not getting solved by our conventional efforts. The solutions are often unconventional and innovative. An area of concern that crosses several environmental media is Mercury. Mercury is a naturally occurring element that is present throughout the environment and in plants and animals. Human activity can release some of that mercury, increasing the amount available to accumulate in humans and other animals.

Human activities have increased the amount of mercury that is currently cycling in the atmosphere, in soils, and in lakes, streams and the oceans. Mercury in these locations increases risks to people and wildlife. Although the U.S. and many other industrialized countries have substantially reduced mercury uses and releases in recent decades, these reductions are not yet reflected in the air, soils, water or fish.

According to EPA's 1997 *Mercury Study Report to Congress*, coal-fired electric utilities are the largest source of human-caused mercury air emissions in the U.S. Utilities and are followed by:

1. Municipal waste combustors (19 percent);
2. Medical waste incinerators (10 percent);
3. Hazardous waste combustors (4+ percent).

At the CDPHE the Water Quality Control Division is continuing to work on developing Total Maximum Daily Loads (TMDLs) for impacted watersheds. Additionally, several other initiatives are being implemented to address the potential exposure and contamination concerns of Mercury including:

1. A pollution prevention component which will focus on medical and dental practices;
2. An public education and outreach component;

3. Further research and investigation on the health and ecological effects;
4. A consumer awareness survey; and,
5. Development of a specific program to reduce Mercury emissions from automobile body recycling at a steel mill in Colorado.

When solutions are implemented, effectiveness is measured, and if necessary, solutions are adjusted for effectiveness. When success is achieved, the project is closed. Long-term monitoring may follow to ensure that the problem does not reoccur.

#### 1.9.2.8 Emergency Preparedness

Both the Colorado Department of Public Health and Environment and the U.S. EPA Region 8 have developed comprehensive plans to: prepare for disasters; mobilize resources; conduct field activities; and, provide advice or information and in response to public health environmental emergencies or disasters. In the CDPHE Internal Emergency Response Implementation Plan, Part I provides guidance on the Department's overall emergency preparedness and response concept of operations and interdepartmental roles and responsibilities. Part II - Annexes, consist of seven annexes that provide additional information on response procedures and protocols to be used in facilitating the effective delivery of emergency technical assistance, public information and enhanced interdepartmental and interagency coordination. The CDPHE Plan is intended for internal use and is not intended as a mandated guidance document for local health agencies.

The Region 8 Emergency Response/Counter Terrorism Program's Strategy is develop a preparedness network for emergency response and terrorist attacks that is immediate, protective and preventative. This strategy has a number of major components including: infrastructure protection; a focus on preparedness, response and recovery; communication and information sharing; and, protection of EPA personnel and infrastructure.

The challenge for this planning effort is to enhance current state and federal programs to promote better information exchange, communication education and awareness building, detection and awareness and assessment of vulnerabilities. Over the coming year, a number of opportunities will be explored to meet this challenge. As an example, the including security discussion and consultation as part of the ongoing inspection process for permitted state and federal facilities, using ongoing compliance assistance efforts, workshops and outreach efforts to incorporate homeland security matters.

### **1.10 INTRA-DIVISIONAL AND INTRA-AGENCY PLANNED ACTIVITIES AND OUTCOMES UNDER THE CROSS-CUTTING THEMES**

The following text describes the major intra-divisional and intra-agency efforts and activities being undertaken to implement the cross-cutting initiatives. Many of these efforts involve more than one Division in the CDPHE and the EPA Region 8 offices and are ongoing throughout the period covered in this agreement. The EPA and CDPHE environmental managers meet annually for a mid-year planning and strategy session. Numerous issues are discussed relating to cross-cutting priority areas. Many of the areas identified in this FY03 PPA update stem from those discussions. Further meetings will be held to discuss opportunities for continued collaboration in the cross-cutting areas.

#### 1.10.1 Pollution Prevention (P2)

The goal of the CDPHE is environmental protection and continuous improvement in environmental quality. Compliance achieved through a command and control regulatory infrastructure is only one component. The CDPHE is committed to making pollution prevention (P2) the state's environmental management tool of first choice as directed by the Colorado Pollution Prevention Act of 1992. Therefore, Pollution Prevention continues to be one of the overarching themes of the 2003 CEPPA. Prevention marks a significant evolution both in how the CDPHE relates to the regulated community and what services it delivers. P2 is voluntary in Colorado, and P2 solutions focus on avoiding pollution. Pollution Prevention is "any practice which reduces the volume, toxicity or use of any hazardous substance or amount of any pollutant or contaminant prior to recycling, treatment, or disposal, and reduces the hazards to the public health and the environment...", (C.R.S. 25-16.5-104). The CDPHE is committed to making these kinds of interactions occur as standard operating procedure.

During the past year, major management changes occurred that promise to give CDPHE a major boost in its efforts to implement prevention as its preferred approach to protecting the environment and interacting with the regulated community.

#### 1.10.2 Community-Based Environmental Protection and Environmental Justice Programs

The EPA and the CDPHE will continue to work with communities to develop a "place-driven approach"

rather than a "program-driven approach". This is the Community Based Environmental Protection concept.

In order to carry out the key priorities of community based environmental programs (CBEP) and environmental justice (EJ) programs, a coordination and contact process will be developed at the CDPHE. The main purpose of this group or process will be to allow for the requisite cross-media coordination and integration. The EPA and the CDPHE will be continuing to develop this partnership in FY03 working on a number of joint priorities. In areas like Pueblo and Garfield county EPA and CDPHE will jointly work together to: coordinate communication on processes (such as SEPs); coordinate information on resources and studies that would be available; and, jointly develop measures of progress for incorporation in subsequent updates to this agreement. Additionally, the EPA and the CDPHE will continue to support the ongoing watershed projects in Colorado and emphasize meaningful stakeholder involvement.

The EPA and CDPHE will identify lessons learned and/or workshop opportunities in order to continue to further define CBEP and integrate CBEP into the many programs being implemented by the EPA and the CDPHE.

EPA will continue to work with the CDPHE in identifying potential CBEP projects.

Often there is a significant need for coordination between the environmental divisions as communities seek to solve environmental problems. For example, solving an air pollution issue may create a water quality problem. As the CDPHE continues to work with proactive communities to address emerging problems, the big picture or ecological aspect of both the problem and the solution must be kept in mind. The environmental programs in the CDPHE have encouraged voluntary actions for some time. The emphasis during the next two years will be to develop a community-based process that will serve a multi-media approach.

Areas in Colorado that have multi-media environmental issues are being explored as possible program development models. In previous years, a number of opportunities were identified. These will be continued under the current agreement including: Further, the CDPHE and EPA will jointly work together to establish a collaborative list of community programs that are being developed around the state by both agencies. The EPA and CDPHE will explore ways to use the internet and other means to make these programs and projects more widely accessible to the public.

The EPA and the CDPHE will share information about workshops and training related to community based programs.

In FY 2001, EPA initiated specific efforts to address environmental and health concerns in the industrialized areas of North Denver. The Northeast Denver Environmental Initiative (NDEI) is EPA's response to citizens' concerns about the prevalence of industrial uses in a residential area. Using environmental enforcement authorities, EPA Region 8 is committed to increase enforcement resources in this area to assure maximum compliance with environmental laws and, thus, assure that noncompliant and un-permitted releases of contaminants into the Northeast Denver communities are properly addressed.

The State will conduct the following environmental justice activities:

Identify locations of environmental hazards in low income and minority communities; Identify and address disproportionate impacts of environmental hazards in low income and minority communities; and identify and address sufficiency of enforcement activities in low income and minority communities to ensure that the impact of environmental hazards is adequately addressed.

In fiscal year 2003, the State will initiate a process for evaluating the ways in which, and the extent to which, environmental justice is incorporated into the work of each environmental division for the purpose of creating a department-wide policy to guide the department in the implementation of environmental justice practices.

EPA will respond to environmental justice concerns brought to its attention in the state and will conduct appropriate activities in response to such concerns.

EPA will provide state access to its environmental justice tools and resources, as requested. EPA will work with the state to evaluate the effectiveness of environmental justice activities in the state.

#### 1.10.3 Compliance Assistance and Assurance

Because authorities and resources to meet this goal exist outside EPA, EPA seeks partnerships with CDPHE and local agencies and community leaders to achieve maximum compliance rates and environmental performance. In addition, to meet the goal of reducing pollution in this industrialized residential area, EPA desires to incorporate pollution prevention techniques in the initiative.

The focus of the initiative is to leverage environmental resources through inspections and enforcement activities with a concentrated and coordinated effort involving federal, state, and local resources.

Goals of this initiative are two fold:

#### 1. Environmental Compliance

- Achieve maximum compliance with environmental laws by 2002
- Use pollution prevention techniques to further reduce releases

## 2. Coordination and Communication

- Encourage community leaders and government agencies to participate and contribute resources to determine and ensure compliance with environmental laws
- Communicate with partners to ensure active involvement, information sharing and inclusive decision-making
- Encourage and support community participation
- Encourage and consider SEPS beneficial to the community in settling penalty actions

To assure appropriate and effective coordination, EPA and CDPHE will designate contacts at both the management and staff level. EPA will arrange for periodic meetings to assess progress on this initiative and the effectiveness of communication channels and coordinating mechanisms.

EPA and CDPHE are committed to exploring joint use of enforcement authorities and pollution prevention to achieve positive environmental results in Northeast Denver. Both EPA and State Air, Waste, and Water Programs will increase resources for inspections and enforcement actions, as reflected in their inspections plans referenced in the PPA. The Pollution Prevention Program will meet with the North Denver team to address incorporation of pollution prevention into aspects of the initiative.

The State and EPA agree to work together to evaluate the Northeast Denver Environmental Initiative area and jointly develop and implement a work plan which targets compliance assurance activities in this area. The compliance assurance activities may include compliance assistance and routine compliance inspections.

The CDPHE and the EPA will also collaborate on emerging issues relating to agricultural activities and communities.

A key goal which is also a priority for Region 8 EPA, is to improve the multi-media compliance assurance. The P2 Program will be coordinating the EPA grant to conduct a multi-media pilot study. A revised work plan is being developed and an inter-divisional task force will be chartered to work on the project.

Each of these goals depends upon achieving another key objective - - developing and conducting cross media training for compliance assurance personnel within the CDPHE and for local health departments.

The EPA's Office of Enforcement and Compliance Assurance (OECA) has established a series of reporting requirements to measure progress in enforcement activities. These measures will be used by all programs in this document to evaluate performance. They include:

### OECA Reporting Requirement CDPHE Comment

1. Provide information to national databases. Colorado routinely provides this data for all media to national databases (see media work plans).
2. Compile enforcement activity (e.g. case referrals, notices conducted by each media including penalties).

Colorado routinely provides this data for all media to national data bases and shares information with the EPA Region 8 on regular basis (see media work plans).

3. Provide narratives on environmental or public health benefits achieved through inspection and enforcement activities.

The EPA will be developing software to facilitate this task.

**Measurement through the Compass Project:** Begun in 2000, the Compass Project is expected to wrap up near the end of FY03. The project has seen the successful implementation of 4 pilot programs - 1 each in the HMWMD and the WQCD and 2 in the APCD. All of the pilot programs were efforts to measure the effectiveness of different types of compliance assistance and pollution prevention assistance. Each pilot has just recently finished collecting data and data evaluation is beginning. The Compass Project also included a cross-media data query project. We now have the contractor on board. The contractor is in the midst of collecting information about the various databases and is on schedule to deliver a data query system in June 2003. CDPHE hopes to complete the report on this project in July 2003.

#### 1.10.4 Access to Information and Data Integration

A number of specific CDPHE data integration activities are anticipated for FY03. The Department has received the One Stop - Network Readiness Grant to improve our data connectivity both intra- and inter-divisional basis. The APCD, HMWMD, and WQCD jointly applied for this grant. The grant funds a three-year effort. The first year's expected achievements are:

Building IT and data sharing partnerships between the divisions

Contracting a HMWMD pilot project to create a framework for integration and unique identification of facilities. This project is to be designed to allow for the other divisions to utilize at a later date.

Laboratory Electronic Data Deliverable (EDD) across divisions and programs: This project has been expanded in scope from the initial grant application to create a framework and data structure to allow for one EDD format across all the environmental divisions. This project will take advantage of the node concept to transfer environmental monitoring data that is received from labs out to the individual program databases. It will also allow the reverse process of transfer of data across the divisions. The first year expectation is to create the data structure and some indexing of reference values across the programs.

Database Improvement: Individual projects are proposed to move from older software and programming languages to SQL Server and VB. The scoping and contract development for the work is expected to take place in the first year.

**Developing Integrated Systems** through continued work on environmental indicators, participating in the National Facility Linking System or Key ID project (including data architecture) and SARA Title III data integration. One of the cornerstones of the National Environmental Performance Partnership System is the use of environmental indicators and performance measures of the ambient environment, and the effectiveness or progress of environmental regulatory and remedial programs in achieving environmental improvements. Environmental indicators and performance measures are used to replace or supplement traditional progress measures in program assessment and activity prioritization processes.

During the next two years, the CDPHE will invest additional time and effort in data sharing, comparisons and integration to crosscheck or refine the data collected, and to improve the quality of measurement reported. The CDPHE will work with the EPA to integrate data management activities. CDPHE is consulting regularly with the EPA regarding progress and strategic direction of data management activities.

**Key Identifier Project - The National Facility Linking System (NFLS)** for the CDPHE environmental programs is focusing on identifying records by a specific facility location and name. This is to allow queries for locations of facilities by population characteristics and potential sources of contamination. The NFLS project will provide access to data across the environmental programs of the CDPHE. The CDPHE has participated actively in the planning stages of the NFLS, and is working to develop a system that can be integrated with the national system. The CDPHE established the Environmental Information Architecture Committee in 1996. The committee has developed an overall structure for a facility identifier database. This committee then created a facility identifier subcommittee, the "Key ID" subcommittee, to address issue of feasibility of implementing a project for the state that would be compatible with the NFLS effort. However, progress in this area has been slower than expected and only limited work is going on currently.

**Electronic Commerce** - The CDPHE is committed to providing services and information over the Internet. Currently, permit applicants can obtain permit applications in downloadable form and technical guidance about permit requirements. A wide range of information about water, air and waste management issues is available online. All the environmental programs, in conjunction with the CDPHE's Environmental Information have moved to extensive utilization of the Internet to make information and data available online.

**Data Warehouse** The CDPHE has begun to build a data warehouse Microsoft SQL server. The Air Division will convert its permitting system to SQL server during FY01. That data will then be available for use by other environmental divisions and it will be more accessible using the CDPHE's WWW infrastructure.

**Developing Electronic Geographic Information Systems (GIS) to Support CBEP or EJ, P2 or Geographic Based P2 Assistance.** The CDPHE is continuing to invest resources to allow for the geographical display of potential pollution sources.

Using the GIS system for example key identifier records and database information from the APCD's data handling system, SARA III database and Water Quality data, business sectors can be identified where a high potential for P2 reductions and environmental improvements can be projected.

**Industrial Sector Indexing Project** - The EPA Region 8 office will be participating in a national effort,

The Industrial Indexing Project, to determine the integrity of data for specific industry sectors.

#### 1.10.5 CDPHE's Colorado Environmental Leadership Program and EPA's Performance Track.

In the coming year the Environmental Leadership Program will continue to work with EPA Region 8 on integrating and leveraging the state's leadership program with the EPA's Performance Track program. The first step in achieving this partnership was the successful implementation of one leadership application form that allows a facility to apply to both the Environmental Leadership and the Performance Track programs simultaneously. Other program goals include growing the program and mentoring Achievement Award and Governor's Challenge companies toward the Environmental Leadership tier of the program.

The program will continue to develop and provide meaningful incentives to the participants in the program. This will be accomplished by working internally at the department, with compliance personnel, on the development of permit flexibility incentives. It will also be achieved by working with the Innovations Task Force, a group of stakeholders that are committed to working with the department on the development of incentives.

The program will also bring cutting-edge training on Environmental Management Systems to department personnel. The training will provide compliance and enforcement staff at the department with the tools they need to recognize a true environmental leader. It will also further strengthen communication and relationships between the department and the regulated community.

#### 1.10.6 Concentrated Animal Feeding Operations

CDPHE will focus on continuing issues regarding animal feeding operations (AFOs) and concentrated animal feeding operations (CAFOs). This will be based on EPA's revised regulations for CAFOs, and Colorado's Amendment 14, passed by voters in 1998. An overall Colorado strategy is emerging with the help of local health departments, concerned citizens, Colorado State University and affected businesses.

Both the EPA and CDPHE environmental programs or Divisions have either roles in these cross-media initiatives or are also implementing similar activities. These are discussed in the Division work plans in Chapters 2 through 4 and in the other ongoing program activities described in Chapter 5.

#### 1.10.7 Environmental Problem Solving - Addressing Mercury Impacts on the Health and Environment

The activity under this initiative falls into several categories. The CDPHE work group has developed a work plan which is included in the Pollution Prevention work plan narrative in Chapter 5. The overall effort is summarized here.

1. A pollution prevention component which will focus on medical facilities through developing effective partnerships to encourage recycling and expand education to dental practices;
2. An public education and outreach component through partnership with local health departments;
3. Further research, in conjunction with the Water Quality Control Division on the health and ecological effects of Mercury in Colorado;
4. Encouraging consumer participation in thermostat recycling programs like Thermostat Recycling Corporations and encourage consumer participation through HVAC contractors and suppliers and,
5. Development of a specific program to reduce Mercury emissions from automobile body recycling at Rocky Mountain Steel's facility in Pueblo, Colorado.

#### 1.10.8 Emergency Preparedness

The CDPHE and EPA are planning, preparing for and will respond to terrorist threats involving weapons of mass destruction. Because of their inherent roles in protecting human health and the environment from possible harmful effects of certain chemical, biological, and nuclear materials, EPA and the CDPHE are actively involved in counter-terrorism planning and response efforts.

The CDPHE will continue to serve as one of the Colorado alternates on the Region 8 Regional Response Team (RRT). The CDPHE, as time and funds permit, will:

participate in the RRT as a means to exchange response asset inventory information, hazardous materials and counter terrorism information and coordination, participate in development and implementation of regional strategy resulting from joint review of the EPA Homeland Security Strategic Plan and the National Strategy for Homeland Security.

participate in a table top exercise that addresses consequence management from a terrorist attack on an industrial/municipal chemical facility (i.e., chlorine tanks),

participate in a table top exercise that involves the cleanup of an anthrax attack that



involves EPA but not the FEMA Federal Response Plan,  
provide training to employees on terrorist threats involving weapons of mass destruction,  
and  
EPA will continue to help the CDPHE, other state agencies and local responders to plan  
for terrorist threats and other emergencies; provide training for the CDPHE, other state agencies  
and first responders; and provide resources in the event of a terrorist incident.  
Additionally, as a follow up to the Colorado Sr. Midyear meeting in June of 2002, a  
number of areas for further coordination were suggested. These may include:  
Ensuring both agencies have current and comprehensive ER contacts;  
Joint EPA-Colorado information sharing on EP activities; CDPHE/EPA plan consistencies and  
potential gaps;  
Joint EPA-Colorado effort in identifying high risk areas; and,  
Continuing cooperation on current areas of concern (fire and drought).  
s and strategies to accomplish program objectives in the coming PPA period.